

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PETITION OF SOUTH CENTRAL BELL)	
TELEPHONE COMPANY FOR CONFIDENTIAL)	CASE NO.
TREATMENT OF INFORMATION)	90-259
FILED IN SUPPORT OF ITS OUTWATS)	
RATE REDUCTIONS)	

O R D E R

This matter arising upon petition of South Central Bell Telephone Company ("South Central Bell") filed August 16, 1990, pursuant to 807 KAR 5:001, Section 7, for confidential protection of certain information in the Revenue/Cost Analysis prepared in support of the proposed tariff on the grounds that public disclosure of the information is likely to cause South Central Bell competitive injury and it appearing to this Commission as follows:

South Central Bell seeks to protect as confidential certain information contained in its Revenue Cost Analysis filed in support of the proposed tariff for OUTWATS telephone service. The information sought to be protected consists of the number of customers using the service, the distribution of these customers across the WATS bands, and the average usage of WATS customers.

The information is not known outside of South Central Bell and is not disseminated within South Central Bell except to those South Central Bell employees who have a legitimate business need to know and act upon the information. South Central Bell seeks to

preserve the confidentiality of this information through all appropriate means, including the maintenance of appropriate security at its offices.

807 KAR 5:001, Section 7, protects information as confidential when it is established that disclosure is likely to cause substantial competitive harm to the party from whom the information was obtained. In order to satisfy this test, the party claiming confidentiality must demonstrate actual competition and a likelihood of substantial competitive injury if the information is disclosed. Competitive injury occurs when disclosure of the information gives competitors an unfair business advantage. The average revenue per OUTWATS minute depends upon the number of OUTWATS calls and the general traffic mix. The information sought to be protected shows how this rate is impacted by varying numbers of calls. Competitors could use this information to price competing services below a known rate. Therefore, disclosure of this information is likely to cause South Central Bell competitive injury and the information should be protected as confidential.

This Commission being otherwise sufficiently advised,

IT IS ORDERED that:

1. The information contained in the Revenue Cost Analysis filed in support of the proposed tariff for OUTWATS telephone service, which South Central Bell has petitioned be withheld from public disclosure, shall be held and retained by this Commission as confidential and shall not be open for public protection.

2. South Central Bell shall, within 10 days of the date of

this Order file an edited copy of the analysis with the confidential material obscured for inclusion in the public record, with copies to all parties of record.

Done at Frankfort, Kentucky, this 20th day of September, 1990.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director